



**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Remy TANIMURA

Group Art Unit: 3732

Application No.: 10/552,433

Examiner: H. MAI

Filed: October 6, 2005

Docket No.: 125561

For: METHOD FOR REVERSIBLE FIXING OF A TOOL TO AN IMPLANTABLE  
ELEMENT AND DEVICE FOR CARRYING OUT SUCH A FIXING METHOD

**APPLICANT'S SEPARATE RECORD OF PERSONAL INTERVIEW**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant appreciates the courtesies shown to Applicant's representative by Examiners Mai and Wilson at the October 6, 2008 personal interview. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicant's record of the interview.

During the personal interview, Applicant's representative traversed the 35 U.S.C. §102(b) rejection of claims 1-7, 13, 15 and 16 over Gambale (U.S. Patent No. 6,328,746); the 35 U.S.C. §102(b) rejection of claims 1, 2 and 8-17 over Gervais et al. (U.S. Patent No. 7,160,109); and asserted that new claims 18-23 are patentable over both of the above-applied references. Applicant's representative presented arguments that paralleled the arguments asserted in the Amendment filed September 18, 2008.

**I. Gambale**

As argued during the personal interview, Gambale does not teach "the hollow intermediate connecting part and the external complementary part of the tool cooperating to prevent longitudinal movement of the tool relative to the hollow intermediate connecting part while they are reversibly fixed together," as recited in independent claim 1; and "a first clip configured to reversibly fix the hollow intermediate connecting part onto an external complementary part of the tool and to prevent longitudinal movement of the tool relative to the hollow intermediate connecting part while they are reversibly fixed together," as recited in independent claim 2.

Further, as tentatively agreed during the personal interview, Gambale does not teach "reversibly fixing a hollow intermediate connecting part onto an external complementary part of the tool ... and thereafter positioning the tool, which has the hollow intermediate connecting part reversibly fixed thereto, with respect to the end of the implantable element," as recited in independent claim 1.

In addition, it was tentatively agreed that the Office Action's reliance on *Ex Parte Rubin*, 128 USPQ 440 (Bd. App. 1959) was erroneous.

Therefore, for at least these reasons, independent claims 1 and 2 are patentable over Gambale. Claims 3-7, 13, 15 and 16, which depend from independent claim 2, are also patentable for at least their dependency on independent claim 2, as well as for the additional features they recite. Applicant thus respectfully requests withdrawal of the rejection.

**II. Gervais**

Regarding the §102(b) rejection over Gervais, Applicant's representative presented arguments that paralleled the arguments presented in the Amendment filed September 18, 2008.

For example, it was tentatively agreed that Gervais does not teach "positioning the tool ... with and end of the tool in direct contact with the implantable element," as recited in independent claim 1, and "a second clip configured to clip to a complementary part of the implantable element, so as to enable reversible fixing of the tool to and in direct contact with the implantable element," as recited in independent claim 2 (emphasis added).

Further, Applicant's representative argued that Gervais does not teach "reversibly fixing a hollow intermediate connecting part onto an external complementary part of the tool ... and thereafter positioning the tool, which has the hollow intermediate connecting part reversibly fixed thereto, with respect to the end of the implantable element," as recited in independent claim 1.

In addition, Applicant's representative argued that Gervais does not teach "the tool is a transfer part and the implantable element is selected from the group consisting of a dental implant, an intermediate pillar and a die," as recited in claim 17.

Therefore, for at least these reasons, independent claims 1 and 2 are patentable over Gervais. Claims 8-17, which depend from independent claim 2, are also patentable for at least their dependency on independent claim 2, as well as for the additional features they recite. Applicant thus respectfully requests withdrawal of the rejection.

### **III. New Claims 21-23**

During the personal interview, Applicant's representative also argued that neither Gambale nor Gervais teach the features of new claims 21-23.

#### **A. Gambale**

For example, Applicant's representative argued that Gambale does not teach reversibly fixing a transfer part to an intermediate pillar or dental implant, as recited in claim 21; a device for taking an imprint of a transfer part and a connecting part that are configured to

prevent longitudinal movement therebetween, as recited in claim 22; and the combination of the transfer part, intermediate pillar and dental implant recited in claim 23.

**B. Gervais**

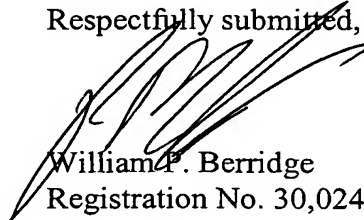
As argued during the personal interview, Gervais also does not teach the features of claims 21-23. For example, Gervais also does not teach "the transfer part being in direct contact with the one of the intermediate pillar and dental implant," as recited in independent claim 21; "a transfer part having an extremity positioned on and in direct contact with a complementary end of an intermediate pillar or a dental implant," as recited in independent claim 22; and the combination of the transfer part, intermediate pillar and dental implant recited in claim 23.

Therefore, for at least these reasons, new claims 21-23 are also patentable over Gambale and Gervais.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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WPB:PTM/jth

Date: October 8, 2008

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